

PATENT
P56854

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JUN-HYUK LEE *et al.*

Serial No.: 10/657,278

Examiner: FRAZIER, OWEN J.

Filed: 9 September 2003

Art Unit: 2687

For: METHOD AND SYSTEM FOR USING EITHER PUBLIC OR PRIVATE
NETWORKS IN 1x EV-DO SYSTEM

**CORRECTED PETITION TO RESET AND RESTART PERIOD
FOR REPLY DUE TO LATE RECEIPT OF A PTO ACTION**

Attn: Ms. Krista ZELE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile No.: 571.273.7288

Sir:

Per telephone discussion of this afternoon, Applicant submits the Corrected Petition to correct a typographical error on page 3, and also provides a copy of the first page of the final Office action showing the date stamp of receipt attached by the undersigned attorney's docketing clerk.

Applicant respectfully petitions and request to send a supplemental Office communication to the final Office action (Paper No. 060506) dated 13 April 2006, and reset and restart period to reply to the final Office action due to the late receiving of PTO action.

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Date: 6/7/06
ID.: REB/fw

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STATEMENT OF FACTS

1. On 13 April 2006, the U.S. Patent & Trademark Office prepared and ostensibly issued a final Office action (Paper No. 030506) in the above-referenced patent application;
2. On 1 May 2006, Applicant's undersigned attorney received an envelope that contained the final Office action (Paper No. 030506) dated 13 April 2006;
3. The date stamp on the envelope is dated 13 April 2006, Postage Meter No. 0004205065.

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With the guidance of the Petition's Office, applicant respectfully petitions under §710.06 of the MPEP (7th Ed., red.1, Feb 2000) to restart the previously set period for reply to the outstanding Office action from the date of receipt of the PTO action at the correspondence address, namely from the 13th of April 2006, states that:

(A) this Petition is filed within two weeks of the date of receipt of the PTO action at the correspondence address;

(B) a substantial portion of the set reply period has elapsed on the date of receipt; and

(C) a copy of the first page of the final Office action showing the date stamp of receipt attached by the undersigned attorney's docketing clerk, together with a copy of our list of incoming mails, and a copy of an envelop with the stamp showing the date, constitutes evidence establishing the date of receipt.

The date of receipt of the PTO action at the correspondence address was: 1 May 2006. The evidence being presented shows the customary date stamp applied by the undersigned attorney's docketing clerk and the accompanying letter confirms the Notice to the Commissioner previously issued by applicant's attorney of non-receipt.

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The typographical error on page 3, indicating the date of receipt of the PTO action at the correspondence address, is now corrected from "13 April 2006" to -- 1 May 2006 --.

Additionally, Applicant also provides a copy of the first page of the final Office action showing the date stamp of receipt attached by the undersigned attorney's docketing clerk, which was not included in the previous petition.

Entry of this Corrected Petition and timely issuance of Decision on Petition is respectfully requested.

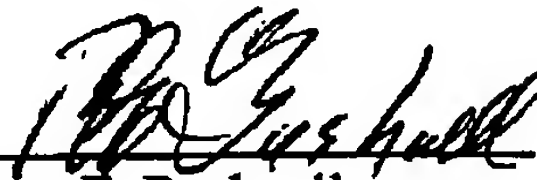
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RELIEF REQUESTED

Accordingly, the Commissioner is respectfully requested to:

- A. Immediately issue a supplemental Office communication to the final Office action (Paper No. 030506) to Applicant's undersigned attorney;
- B. Reset and restart period for reply to the final Office action; and
- C. Grant such other and further relief as justice may require.

Respectfully submitted,


Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

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Enclosure: a) Copy of the envelope dated 4/13/2006, Postage Meter No. 0004205065
b) Lists of communications received from the U.S. PTO between 4/13/2006 and 5/1/2006

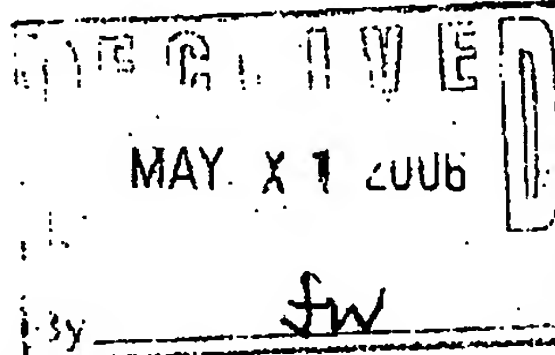


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UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,278	09/09/2003	Jun-Hyak Lee	P56854	1391

7590 04/13/2006
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 Washington, DC 20005-1202



EXAMINER

LAM, DUNG LE

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 04/13/2006

030506

FINAL OA Response Due:
 13 July 2006

Please find below and/or attached an Office communication concerning this application or proceeding.